IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL REVISION APPLICATION NO. 63 OF 2007

The State of Maharashtra. ... Applicant.

V/s.

1. Smt.Gopi Laxmandas Talreja,
2. Shri Ashok Laxmandas Talreja,
3. Shri Mukesh Laxmandas Talreja,
4. Smt.Kaushalya Lalchand Rohra. ... Respondent.

K.V.Saste, APP for the applicant.

M.S.Mohite for respondent Nos.1 to 4.

CORAM: V.C.DAGA, J.

DATED: 27th August 2007.

P.C.:

. Heard.

2. This revision is directed against the order dated 5th September, 2006 passed below Exh.124 in Special Case No.15/2003, whereby accused Nos.43 to 46 came to be discharged under section 239 of Code of Criminal Procedure, 1973 (Cr.P.C.).

3. The learned A.P.P., appearing for the applicant- State submits that there was conspiracy hatched by the present respondents (discharged

accused) along with other persons by breaching or transferring the lands declared surplus under the Urban Land Ceiling Act (U.L.C.Act) as such they have played fraud with the State Government. Learned A.P.P. could not spell out as to which offence is committed by the said respondents. The sale of surplus lands declared under the U.L.C.Act is void in the eye of law. Nobody can get title. If at all any offence is committed that may be a breach of the provisions of the U.L.C.Act. During the course of hearing, Mr.Mohite, learned counsel appearing for the respondents submits that notice issued under U.L.C.Act has been dropped.

4. In the aforesaid backdrop, the view taken by the Court below is a reasonable and possible view. No fault can be found with the impugned order. Revision application is, therefore, rejected.

JUDGE